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Appeal Brief dated October 11, 2005

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Attorney Docket No. 02271C2/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): David M. STRAVITZ

Serial No. : 10/693,087

Filed : October 23, 2003

For : CARTRIDGE OF FLEXIBLE TUBING  
FOR WASTE DISPOSAL DEVICES

Art Unit : 3721

Examiner : PARADISO, JOHN ROGER

Confirm No. : 8472

**APPEAL BRIEF**

COMMISSIONER FOR PATENTS  
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Alexandria, VA 22313-1450

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S I R :

On July 14, 2005, Appellant, through his attorney, appealed from the final rejection of claims 1-27 set forth in an Office Action dated May 6, 2005 for the above-referenced application. The Notice of Appeal was received by the U.S. Patent and Trademark Office with the appropriate fee on July 14, 2005 and therefore an Appeal Brief was due September 14, 2005, two months from the date of receipt by the U.S. Patent and Trademark Office of the Notice of Appeal. Appellant hereby petitions the

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Commissioner for Patents to extend this deadline for one month from September 14, 2005 to October 14, 2005. A Form 2038 is enclosed to cover the USPTO fee of \$60.00 as set forth under 37 CFR 1.17(a)(1) for a petition for a one-month extension of time. If any further fees are required, authorization is given to charge same against Account No. 06-1378.

This Appeal Brief is being submitted pursuant to 37 CFR 41.37 with the appropriate fee. The Appeal Brief supports the patentability of claims 1-26. For the reasons set forth below, it is respectfully submitted that the rejection set forth in the May 6, 2005 Office Action should be reversed.

**A. REAL PARTY IN INTEREST**

The real party in interest of the above-identified application is Saniquest Industries Corporation of 71 Broadway, #31, New York, NY 10006-2601 by virtue of an assignment of an undivided 100% interest in the application by the inventor-appellant.

**B. RELATED APPEALS AND INTERFERENCES.**

At this time, there are no related appeals or interferences.

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**C. STATUS OF CLAIMS**

Claims 1-26 are pending in this application and all have been finally rejected by Examiner John Roger Paradiso of Group Art Unit 3721. Appellant is therefore appealing the final rejection of these claims. Claim 27 is withdrawn from consideration as being directed to a non-elected invention.

Claim 1 is an independent claim upon which claims 2-13, 20 and 21 depend either directly or indirectly, claim 14 is an independent claim upon which claims 15-18 depend directly or indirectly, claim 19 is an independent claim, claim 22 is an independent claim, claim 23 is an independent claim and claim 24 is an independent claim upon which claims 25 and 26 depend. The appealed claims are set forth in the Claims Appendix attached hereto.

**D. STATUS OF AMENDMENTS FILED SUBSEQUENT TO FINAL REJECTION**

An Amendment Under 37 C.F.R. §1.116 was filed on August 29, 2005, after issuance of the May 6, 2005 Final Office Action. In an Advisory Action dated September 22, 2005, the Examiner indicated that the Amendment would not be entered because it was not deemed to place the application in better form for appeal.

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**E. SUMMARY OF CLAIMED SUBJECT MATTER**

The present claimed invention as defined by independent claim 1 is directed to a cartridge for a waste disposal device shown in detail in Figs. 10-13E and described in the specification at page 28, line 21 to page 32, line 2. Cartridge 94 generally includes a casing 110 defining a cavity, a length of flexible tubing 34 arranged substantially in the cavity and having a front end portion situated outside of the cavity and a rear end portion arranged in the cavity, an annular cover 112 connected to the casing 110 to substantially cover the cavity and arranged such that a ring-shaped opening 122 is defined between the cover 112 and the casing 110 for passage of the tubing 34 therethrough, and first closing means arranged in connection with the front end portion of the tubing 34 for pre-forming a closure at the front end portion of the tubing 34 outside of the cavity prior to insertion of waste into the tubing 34 and in order to create a waste receiver without tying of the front end portion of the tubing 34. In this manner, the tubing 34 is capable of receiving waste only after formation of the closure by the first closing means.

Claim 2, which is dependent on claim 1, further defines that the first closing means comprise a metal clip or clasp 124

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attached to the front end portion of the tubing 34 (see Figs. 10 and 12).

Claim 3, which is dependent on claim 1, further defines that the first closing means comprise a heat seal at the front end portion of the tubing 34 (see Fig. 13D).

Claim 4, which is dependent on claim 1, further defines that the first closing means comprise stitches which sew the front end portion of the tubing closed.

Claim 5, which is dependent on claim 1, further defines that the casing includes opposed substantially cylindrical outer and inner walls 114, 118 and an annular lower wall 116 extending between the outer and inner walls 114, 118 with the ring-shaped opening 122 being defined between an inner edge of the cover 112 and the inner wall 118 (see Fig. 10).

Claim 6, which is dependent on claim 5, further defines that the casing includes a flange 120 extending outward from the outer wall 114 and attached to a lower surface of the cover 112 (see Fig. 10).

Claim 7, which is dependent on claim 1, further defines that the cover 112 is detachably connected to the casing 110 to enable insertion of a replacement length of tubing into the cavity (see the specification at page 29, lines 12-21).

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Claim 8, which is dependent on claim 1, further defines that the cartridge includes second closing means arranged in connection with the casing 110 and the cover 112 for closing and sealing the rear end portion of the tubing 34 (see the specification at page 30, line 15 to page 32, line 2).

Claim 9, which is dependent on claim 8, further defines that the second closing means comprise score lines 126 arranged on the cover 112 to enable the cover 112 to be folded about the score lines 126, attachment means arranged on the cover 112 for attaching folded parts of the cover 112 to one another, and slits 128 arranged through the casing 110 in alignment with the score lines 126 (see the specification at page 30, lines 22-30 and Fig. 11).

Claim 10, which is dependent on claim 9, further recites that the attachment means comprise hook and loop fasteners 132, 134 (see the specification at page 31, lines 7-13).

Claim 11, which is dependent on claim 9, further recites that the attachment means comprise a tie 136 and clasp 138 stamped into the cover 112 (see the specification at page 31, lines 19-25 and Figs. 13A-13C).

Claim 12, which is dependent on claim 1, further defines that the cover 112 is made of fibrous material (see the

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specification at page 29, lines 23-25).

Claim 13, which is dependent on claim 1, further defines that the cartridge 94 includes at least one flange 108 adapted to be received between tabs formed on the waste disposal device to hold the cartridge 94 in position relative to the waste disposal device.

Claim 21, which is dependent on claim 8, further recites that the second closing means comprises a weakened portion (e.g., created by score lines 126) formed on the cover 112 such that a part of the cover 112 on one side thereof is foldable about the weakened portion onto another part of the cover 112 on an opposite side of the weakened portion.

The present claimed invention as defined by independent claim 14 is directed to a cartridge for a waste disposal device including a casing 110 defining a cavity, a length of flexible tubing 34 arranged substantially in the cavity and having a front end portion situated outside of the cavity and a rear end portion arranged in the cavity, an annular cover 112 connected to the casing 110 to substantially cover the cavity and arranged such that a ring-shaped opening 122 is defined between the cover 112 and the casing 110 for passage of the tubing 34 therethrough, and first closing means arranged in connection with the casing 110

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and the cover 112 for closing and sealing the rear end portion of the tubing 34. The first closing means comprise a weakened portion (e.g., created by score lines 126) formed on the cover 112 such that a part of the cover 112 on one side of the weakened portion is foldable about the weakened portion onto another part of the cover 112 on an opposite side of the weakened portion. This embodiment is described in the specification at page 30, line 22 to page 31, line 5.

Claim 15, which is dependent on claim 14, further recites that the weakened portion comprises score lines 126, and that the first closing means further comprise attachment means arranged on the cover 112 for attaching folded parts of the cover 112 to one another, and slits 128 arranged through the casing 110 in alignment with the score lines 126 (see the specification at page 30, lines 22-30 and Fig. 11).

Claim 16, which is dependent on claim 15, further recites that the attachment means comprise hook and loop fasteners 132, 134 (see the specification at page 31, lines 7-13).

Claim 17, which is dependent on claim 15, further recites that the attachment means comprise a tie 136 and clasp 138 stamped into the cover 112 (see the specification at page 31, lines 19-25 and Figs. 13A-13C).



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Claim 18, which is dependent on claim 15, further recites that the casing includes opposed substantially cylindrical outer and inner walls 114, 118 and an annular lower wall 116 extending between the outer and inner walls 114, 118, that the ring-shaped opening 122 is defined between an inner edge of the cover 112 and the inner wall 118, and that score lines 126 are arranged through the outer, lower and inner walls 114, 116, 118 of the casing 110 (see the specification at page 30, lines 27-29).

The present claimed invention as defined by independent claim 19 is directed to a cartridge for a waste disposal device including a casing 110 defining a cavity and which is made of plastic material, a length of flexible tubing 34 arranged substantially in the cavity, and an annular cover 112 made of cardboard, connected to the casing 110 to substantially cover the cavity and arranged such that a ring-shaped opening 122 is defined between the casing 110 and the cover 112 for passage of the tubing 34 therethrough.

Claim 20, which is dependent in claim 1, further defines that the cover 112 is made of cardboard.

The present claimed invention as defined by independent claim 22 is similar to that of claim 1 with differences. For example, claim 22 recites that the closing means are selected

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from the group consisting of a metal clip or clasp 124 attached to the front end portion of the tubing 34, a heat seal at the front end portion of the tubing 34 and stitches which sew the front end portion of the tubing 34 closed.

The present claimed invention as defined by independent claim 23 is directed to a cartridge for a waste disposal device including a casing 112 defining a cavity, a length of flexible tubing 34 contained in the cavity, and an annular cover 110 connected to the casing 112 to substantially cover the cavity and arranged such that a ring-shaped opening 122 is defined between the cover 110 and the casing 112 for passage of the tubing therethrough. The tubing 34 has a front end and a rear end and defines a continuous elongate passage extending fully between the front end and the rear end. The tubing 34 further including lines of depressions 34a situated between the front end and the rear end and extending entirely across a circumference of the tubing 34 to enable the tubing 34 to be cleanly torn about each line 34a while forming open ends of the tubing 34 on both sides of the line 34a (see Fig. 27 and the description thereof in the specification at page 45 ,lines 22-27).

The present claimed invention as defined by independent claim 24 is directed to a cartridge for a waste disposal device

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including a casing 110 defining a cavity, a length of flexible tubing 34 arranged substantially in the cavity, and an annular cover 112 connected to the casing 110 to substantially cover the cavity and arranged such that a ring-shaped opening 122 is defined between the casing 110 and cover 112 for passage of the tubing 34 therethrough. The cover 112 is attached to the casing 110 to enable the cover 112 to at least partially separate from the casing 110 to expose the cavity and enable insertion of a replacement length of tubing into the exposed cavity (see the specification at page 29, lines 12-21).

Claim 25, which is dependent on claim 24, further defines the cartridge includes attachment means for removably attaching the cover 112 to the casing 110.

Claim 26, which is dependent on claim 24, further defines that the cover 112 is removably attached to the casing 110 with hook and loop fasteners.

#### **F. ISSUES/GROUNDS OF REJECTIONS**

The issues presented for review are whether the subject matter of claims 1-26 is patentable under 35 USC 103 over the teachings of USP 4,869,049 (Richards et al.)

More specifically, an issue presented for review is whether

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Richards et al. discloses, teaches or suggests a cartridge including tubing having a closure at a front end portion which creates a waste receiver without tying of the front end portion of the tubing.

In addition, an issue presented for review is whether it would have been obvious to one of ordinary skill in the art at the time the invention was made to use stitching, hook and loop fasteners or tie and clasp fasteners to close the front end of the tubing of Richards et al.

Another issue present for review is whether Richards et al. discloses, teaches or suggest a cartridge including a cover and casing made of different materials, with the cover being made of cardboard.

Another issue presented for review is whether it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tubing of Richards et al. by forming lines of separation thereon.

#### **G. ARGUMENT**

##### **1. The Pending Rejection**

Claims 1-26 are rejected under 35 USC 103(a) as being unpatentable over Richards et al.

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## 2. Appellant's Arguments

### a. Claims 1-8, 12, 13, 20 and 22

The present claimed invention as defined by claims 1-8, 12, 13, 20 and 22 is patentable over the cited reference for reasons, inter alia, set forth below.

Richards et al. does not disclose, teach or suggest a cartridge which includes tubing having a closure at a front end portion which creates a waste receiver without tying of the front end portion of the tubing. Rather, Richards et al. teaches the exact opposite in that it states that in order to prepare the cartridge for use and create a waste receiver, the top of the tubing 2 must be pulled upwards from the core 1 and tied into a knot 24 as shown in Fig. 3 (see col. 3, lines 6-14). Thus, Richards et al. expressly contemplates tying of a front end portion of the tubing in order to form a waste receiver and thus does not disclose any structure which performs the function of the "first closing means" as set forth in independent claims 1 and 22.

Nevertheless, the Examiner takes a position that it would have been obvious to use stitching, hook and loop fasteners or tie and clasp fasteners to close the front end of the bags "since

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knotting (as disclosed in RICHARDS ET AL), stitching, hook and loop fasteners, and tie and clasp fasteners are all art-recognized equivalents for the secure closing of refuse or trash bags" (emphasis added).

The Examiner's position is respectfully traversed for two reasons. First, a distinction must be made between techniques for closing a waste-containing refuse or trash bag (for which the obviousness of using the different closing techniques is being asserted) and the pre-forming of a closure at the front end portion of a length of flexible tubing prior to insertion of waste into the tubing and in order to create a waste receiver as in the claimed embodiments. In the claimed embodiments, there is no waste-containing bag being closed by the first closing means. Rather, the first closing means, e.g., the stitching, hook and loop fasteners or tie and clasp fasteners, pre-form a closure at the front end portion of a length of flexible tubing which cannot contain waste until after formation of the closure, i.e., the closure itself creates the waste receiver. Thus, the asserted equivalence of different techniques for closing a waste-containing bag is not applicable to a length of flexible tubing which does not and cannot contain waste prior to formation of a closure.

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Second, the asserted equivalence of the different techniques to close a waste-containing bag are not proper modifications of the flexible tubing in Richards et al. The allegedly equivalent waste-containing bag closing techniques relate to the formation of a closure at the rear end portion of a bag to seal the bag (bag "closure"). By contrast, in Richards et al., it is the front end portion of the flexible tubing which is manually tied to create a bag prior to the insertion of waste into the tubing whereby the waste receiver is formed only after the tying (bag "creation"). Thus, one skilled in the art would not consider different techniques to close a waste-containing bag as equivalents to the manual tying of a front end of a length of tubing in order to create a bag.

Accordingly, one skilled in the art would not consider stitching, hook and loop fasteners and tie and clasp fasteners as equivalents for the manual tying of the front end portion of a length of flexible tubing in order to create a waste receiver as in Richards et al. and thus it would not have been obvious to one skilled in the art to modify the tubing in Richards et al. to include stitching, hook and loop fastener or tie and clasp fasteners.

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In view of the arguments presented above, it is respectfully submitted that claims 1 and 22, and claims 2-8, 12, 13 and 20 which depend from claim 1, patentably distinguish over Richards et al. under 35 USC 103.

Claims 2-8, 12, 13 and 20, which are either directly or indirectly dependent on claim 1, are patentable over Richards et al. in view of their dependence on claim 1 and because Richards et al. does not disclose, teach or suggest all of the limitations recited in the dependent claims, and applicant respectfully requests withdrawal of the rejection of claims 2-8, 12, 13 and 20 under 103(a) by Richards et al. for at least the reasons set forth above.

While claims 1-8, 12, 13 and 20 were rejected under 103(a) as being unpatentable over Richards et al., applicant respectfully asserts that claims 1-8, 12, 13 and 20 are patentable under 103(a) for at least the same reasons set forth above, and request withdrawal of the rejection.

**b. Claims 9-11, 14-18 and 21**

The present claimed invention as defined by claims 9-11, 14-18 and 21 is patentable over the cited reference for reasons, inter alia, set forth below.



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Claim 14 includes features similar to those set forth in claim 82 of a parent application, U.S. patent application Ser. No. 10/456,428 (now U.S. Pat. No. 6,804,930), which were considered and deemed allowable over Richards et al. by the Examiner herein. Namely, claim 14 of the instant application and claim 82 of the '930 patent both include the feature of a weakened portion formed on a cartridge, or more specifically a cover thereof, such that a part of the cartridge or cover on one side of the weakened portion is foldable about the weakened portion onto another part of the cartridge or cover on an opposite side of the weakened portion.

A cartridge including a weakened portion is not disclosed, taught or suggested by Richards et al. Rather, Richards et al. includes a plastics ring 72 as its cover which does not include any such weakened structure which enables the cartridge to be folded after use.

In view of the fact that Richards et al. does not disclose a cover of a cartridge having a weakened portion arranged as set forth in claim 14 and in view of the Examiner's indication of allowability of claim 82 of the '428 application which includes this feature, it is respectfully submitted that claim 14, and claims 15-18 which depend directly or indirectly therefrom,

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should be allowable over Richards et al.

Moreover, claims 9 and 21 also include features similar to the weakened portion on the cover of the cartridge as set forth in claim 14. For the same reasons that claim 14 should be allowable over Richards et al., claims 9 and 21 and claims 10 and 11 which depend from claim 9, should also be allowable over Richards et al.

In view of the foregoing, it is respectfully submitted that claims 9-11, 14-18 and 21 patentably distinguish over Richards et al. under 35 USC 103.

**c. Claim 19**

With respect to claim 19, claim 19 recites a cartridge including a casing defining a cavity, a length of flexible tubing arranged in the cavity and an annular cover which covers the cavity. Further, claim 19 recites that the casing is made of a plastic material and the cover is made of cardboard (see the specification at page 29, lines 23-25). Thus, in this embodiment the casing and cover are made of different materials.

An advantage of making the cover of cardboard is that it is easier to provide weakened sections thereon and bend for the purpose of folding the cover about itself when the tubing is

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exhausted in order to close the rear end portion of the tubing (as discussed above).

A cartridge in which the casing and cover are made of different materials, with the cover being made of cardboard, is not taught or suggested by Richards et al. wherein the core 1 is a rigid plastic moulding including an angle-section plastics ring 72 arranged at the top, i.e., the core 1 and ring 72 are both made of plastic material (see col. 4, lines 36-38). Richards et al. does not provide any suggestion or motivation to make the ring 72 of a different material than the core 1, namely cardboard, to facilitate its bending, and indeed does not even contemplate bending of the cover after the tubing is exhausted.

In view of the arguments presented above, it is respectfully submitted that claim 19 patentably distinguishes over Richards et al. under 35 USC 103.

**d. Claim 23**

With respect to claim 23, claim 23 recites a cartridge including a length of flexible tubing having a front end and a rear end and defining a continuous, elongate passage extending fully therebetween. The tubing includes lines of depressions situated between the front and rear ends and extending entirely

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across a circumference of the tubing to enable the tubing to be cleanly torn about each line while forming open ends of the tubing on both sides of the line (see Fig. 27).

The Examiner takes a position that the use of lines of separation to demarcate separation points for *rolls of plastic bags* is well-known in the art and that it would have been obvious to modify the bags of Richards et al. by forming lines of separation on them (emphasis added).

The Examiner's position is respectfully traversed on the grounds that the claimed embodiment of the invention and Richards et al. do not include "rolls of plastic bags", for which the obviousness of including lines of separation or depressions to enable individual separation of the bags from the roll is asserted. Rather, Richards et al. and the embodiment of the invention set forth in claim 23 relate to a length of flexible tubing which defines a continuous passage between the front and rear ends. There are no heat-sealed circumferential lines between the front and rear ends of the tubing which will serve as the bottom of bags when the tubing is torn about lines of separation or depressions.

In view of the absence of heat-sealed circumferential lines which would enable the formation of a plurality of individual

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bags from the tubing of Richards et al., one skilled in the art would not be motivated to modify the tubing of Richards et al. to include lines of depressions. Indeed, the lines of depressions in prior art rolls of bags are formed solely for the purpose of enabling the formation of individual bags so that one skilled in the art would certainly not include such lines of depressions in the tubing of Richards et al. since the formation of such bags is not possible therein.

In view of the arguments presented above, it is respectfully submitted that claim 23 patentably distinguishes over Richards et al. under 35 USC 103.

**e. Claims 24-26**

With respect to claims 24-26, claim 24 is an independent claim directed to a cartridge in which the cover is attached to the casing to enable the cover to at least partially separate from the casing to expose the cavity and enable insertion of a replacement length of tubing into the exposed cavity. Attachment of the cover to the casing to obtain this effect may be by hook and loop fasteners (see the specification at page 29, lines 12-21).

These embodiments of the invention are patentable over

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Richards et al. because Richards et al. does not disclose using a cartridge for more than a single length of flexible tubing, or constructing a cartridge for such multiple uses.

#### **H. CONCLUSION**

Richards et al. does not disclose, teach or suggest several features of the present claimed invention, including, inter alia, means for pre-forming a closure at a front end portion of flexible tubing, a weakened portion formed on a cover of a cartridge to enable the cover to be folded about itself, a cover formed from a different material than a casing of the same cartridge, a cartridge having a casing and cover which is partially separable from the casing, and flexible tubing with lines of depressions extending across a circumference thereof.

Therefore, upon reason and authority, it is respectfully requested that the Board reverse the final rejection.

An early and favorable action on the appeal is earnestly solicited.

#### **FEE**

A Credit Card Authorization Form in the amount of \$310.00 is enclosed herewith in payment of: 1) the requisite fee for filing

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this brief in support of the Appeal (\$250.00, appellant qualifying for small entity status); and 2) the requisite fee for a petition for a one-month extension (\$60.00).

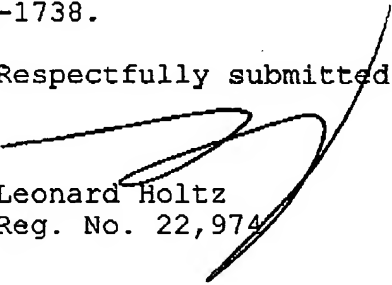
\* \* \* \* \*

In view of the foregoing, it is respectfully submitted that the Examiner has erred in rejecting all of the appealed claims and a reversal of such claims by this honorable Board is solicited.

A copy of the appealed claims is appended herewith.

Please charge any additional fees or credit any overpayment to Deposit Account No. 06-1738.

Respectfully submitted,

  
Leonard Holtz  
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October 11, 2005

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Encls.: Claims Appendix  
Evidence Appendix  
Related Proceedings Appendix  
Credit Card Authorization Form in the Amount of \$310.00

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**CLAIMS APPENDIX**

Claim 1. A cartridge for a waste disposal device,  
comprising:

a casing defining a cavity;

a length of flexible tubing arranged substantially in said  
cavity and having a front end portion situated outside of said  
cavity and a rear end portion arranged in said cavity;

an annular cover connected to said casing to substantially  
cover said cavity and arranged such that a ring-shaped opening is  
defined between said cover and said casing for passage of said  
tubing therethrough; and

first closing means arranged in connection with said front  
end portion of said tubing for pre-forming a closure at said  
front end portion of said tubing outside of said cavity prior to  
insertion of waste into said tubing and in order to create a  
waste receiver without tying of said front end portion of said  
tubing such that said tubing is capable of receiving waste only  
after formation of said closure by said first closing means.

Claim 2. The cartridge of claim 1, wherein said first  
closing means comprises a metal clip or clasp attached to said  
front end portion of said tubing.



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Claim 3. The cartridge of claim 1, wherein said first closing means comprises a heat seal at said front end portion of said tubing.

claim 4. The cartridge of claim 1, wherein said first closing means comprises stitches such that said front end portion of said tubing is sewn closed.

Claim 5. The cartridge of claim 1, wherein said casing includes opposed substantially cylindrical inner and outer walls and an annular lower wall extending between said inner and outer walls, said ring-shaped opening being defined between an inner edge of said cover and said inner wall.

Claim 6. The cartridge of claim 5, wherein said casing further includes a flange extending outward from said outer wall and attached to a lower surface of said cover.

Claim 7. The cartridge of claim 1, wherein said cover is detachably connected to said casing to enable insertion of a replacement length of tubing into said cavity.

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Claim 8. The cartridge of claim 1, further comprising second closing means arranged in connection with said casing and said cover for closing and sealing said rear end portion of said tubing.

Claim 9. The cartridge of claim 8, wherein said second closing means comprises score lines arranged on said cover to enable said cover to be folded about said score lines, attachment means arranged on said cover for attaching folded parts of said cover to one another, and slits arranged through said casing in alignment with said score lines.

Claim 10. The cartridge of claim 9, wherein said attachment means comprises hook and loop fasteners.

Claim 11. The cartridge of claim 9, wherein said attachment means comprises a tie and clasp stamped into said cover.

Claim 12. The cartridge of claim 1, wherein said cover is made of fibrous material.

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Claim 13. The cartridge of claim 1, wherein said cartridge includes at least one flange adapted to be received between tabs formed on the waste disposal device to hold the cartridge in position relative to the waste disposal device.

Claim 14. A cartridge for a waste disposal device,  
comprising:

a casing defining a cavity;

a length of flexible tubing arranged substantially in said cavity and having a front end portion situated outside of said cavity and a rear end portion arranged in said cavity;

an annular cover connected to said casing to substantially cover said cavity and arranged such that a ring-shaped opening is defined between said cover and said casing for passage of said tubing therethrough; and

first closing means arranged in connection with said casing and said cover for closing and sealing said rear end portion of said tubing, said first closing means comprising a weakened portion formed on said cover such that a part of said cover on one side of said weakened portion is foldable about said weakened portion onto another part of said cover on an opposite side of said weakened portion.

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Claim 15. The cartridge of claim 14, wherein said weakened portion comprises score lines, said first closing means further comprising attachment means arranged on said cover for attaching folded parts of said cover to one another, and slits arranged through said casing in alignment with said score lines.

Claim 16. The cartridge of claim 15, wherein said attachment means comprises hook and loop fasteners.

Claim 17. The cartridge of claim 15, wherein said attachment means comprises a tie and clasp stamped into said cover.

Claim 18. The cartridge of claim 15, wherein said casing includes opposed substantially cylindrical inner and outer walls and an annular lower wall extending between said inner and outer walls, said ring-shaped opening being defined between an inner edge of said cover and said inner wall, said score lines being arranged through said inner, outer and lower walls of said casing.

Claim 19. A cartridge for a waste disposal device,

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comprising:

- a casing defining a cavity;
- a length of flexible tubing arranged substantially in said cavity; and
- an annular cover connected to said casing to substantially cover said cavity and arranged such that a ring-shaped opening is defined between said cover and said casing for passage of said tubing therethrough;

said casing being made of a plastic material and said cover being made of cardboard.

Claim 20. The cartridge of claim 1, wherein said cover is made of cardboard.

Claim 21. The cartridge of claim 8, wherein said second closing means comprises a weakened portion formed on said cover such that a part of said cover on one side of said weakened portion is foldable about said weakened portion onto another part of said cover on an opposite side of said weakened portion.

Claim 22. A cartridge for a waste disposal device, comprising:

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a casing defining a cavity;

a length of flexible tubing arranged substantially in said cavity and having a front end portion situated outside of said cavity and a rear end portion arranged in said cavity;

an annular cover connected to said casing to substantially cover said cavity and arranged such that a ring-shaped opening is defined between said cover and said casing for passage of said tubing therethrough; and

first closing means arranged in connection with said front end portion of said tubing for pre-forming a closure at said front end portion of said tubing outside of said cavity prior to insertion of waste into said tubing and in order to create a waste receiver such that said tubing is capable of receiving waste only after formation of said closure by said first closing means,

said closing means being selected from the group consisting of a metal clip or clasp attached to said front end portion of said tubing, a heat seal at said front end portion of said tubing and stitches which sew said front end portion of said tubing closed.

Claim 23. A cartridge for a waste disposal device,

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comprising:

- a casing defining a cavity;
- a length of flexible tubing contained in said cavity, said tubing having a front end and a rear end and defining a continuous elongate passage extending fully between said front end and said rear end, said tubing further including lines of depressions situated between said front end and said rear end and extending entirely across a circumference of said tubing to enable said tubing to be cleanly torn about each of said lines while forming open ends of said tubing on both sides of said line; and

- an annular cover connected to said casing to substantially cover said cavity and arranged such that a ring-shaped opening is defined between said cover and said casing for passage of said tubing therethrough.

Claim 24. A cartridge for a waste disposal device,  
comprising:

- a casing defining a cavity;
- a length of flexible tubing arranged substantially in said cavity; and
- an annular cover connected to said casing to substantially

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cover said cavity and arranged such that a ring-shaped opening is defined between said cover and said casing for passage of said tubing therethrough;

said cover being attached to said casing to enable said cover to at least partially separate from said casing to expose said cavity and enable insertion of a replacement length of tubing into said exposed cavity.

Claim 25. The cartridge of claim 24, further comprising attachment means for removably attaching said cover to said casing.

Claim 26. The cartridge of claim 24, wherein said cover is removably attached to said casing with hook and loop fasteners.



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**EVIDENCE APPENDIX**

Not applicable

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**RELATED PROCEEDINGS APPENDIX**

Not Applicable